

AN ORDINANCE

98587

AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A VACCINE CLINICAL TRIAL AGREEMENT WITH AVENTIS PASTEUR, INC. WHICH WILL PROVIDE UP TO \$143,250.00.00 FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2005 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE IN A CLINICAL TRIAL STUDY OF PENTACEL™, A VACCINE THAT PREVENTS FIVE CHILDHOOD DISEASES; ESTABLISHING A FUND; ADOPTING THE PROJECT BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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WHEREAS, the San Antonio Metropolitan Health District (SAMHD) operates a program that provides immunizations to children for the prevention of diseases such as measles, rubella, mumps, diphtheria, tetanus, polio, haemophilus influenza b, pertussis, hepatitis A and B, and varicella; and

WHEREAS, Aventis Pasteur Inc., a manufacturer of various pharmaceutical products, has developed PENTACEL™, a vaccine to immunize children against pertussis, diphtheria, tetanus, polio and haemophilus influenza b, and has offered an agreement to the SAMHD to participate in a clinical trial study of this vaccine during the period October 1, 2003 through September 30, 2005; and

WHEREAS, the City wishes to participate in this effort in order to promote the increased use of this FDA approved vaccine, which is known to prevent these childhood diseases, and for participating in the study the SAMHD will receive up to \$143,250.00; and

WHEREAS, the SAMHD desires to reimburse the families of children enrolled in the study for expenses that may be incurred through their participation in this project; and

WHEREAS, it is now necessary to authorize the acceptance and execution of this agreement with Aventis Pasteur Inc., establish a fund, adopt the project budget, approve the personnel complement and approve the payment of stipends up to \$235.00 to the participating parent/guardian in the study; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or her designee, is hereby authorized to accept and execute a vaccine Clinical Trial Agreement with Aventis Pasteur Inc. for the San Antonio Metropolitan Health District to participate in a clinical trial study of the Pentacel™ vaccine for the period

October 1, 2003 through September 30, 2005. A copy of this agreement, in substantially correct form, is set out as Attachment II and incorporated herein for all purposes.

SECTION 2. Fund 26-012256 entitled "Pentacel Vaccine Study M5A07" is designated for use in accounting for this project.

SECTION 3. The sum of \$143,250.00 is hereby appropriated in the above-designated fund for the Pentacel Vaccine Study M5A07, and the budget attached hereto and incorporated herein as Attachment I is approved and adopted for entry on the City books.

SECTION 4. Payments in an aggregate amount not to exceed \$11,750.00 are authorized to be paid out as stipends of up to \$235.00 to the participating parent/guardian in the clinical study. Payment will be made from Fund 26-012256, Activity Code 36-07-43, Index No. 762575.

SECTION 5. The three (3) personnel positions set out in Attachment I are hereby authorized for the Pentacel Vaccine Study M5A07.


SECTION 6. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this ordinance.


SECTION 7. Should the agreement offered be in an amount other than that budgeted for, or should the agreement contain terms and conditions different than those currently existing, acceptance of the agreement, budget and corresponding personnel complement will be subject to subsequent City Council ordinance.

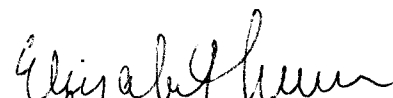
SECTION 8. If an agreement, as first reviewed and approved by the City Attorney, is not signed by both parties within sixty (60) days from the effective date of this ordinance, it becomes null and void, and any further signed documents must be considered by the City Council.

SECTION 9. This ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 18th day of December, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney